

Here are some comments and concerns expressed by South Dakota. The compact specifically states that the application shall go to the state of principle licensure. The proposed rules indicate that the application initially goes to a private entity which then alters the application prior to it being submitted to the state of principle licensure. The states of principle licensure are required to resolve disputes with applicants through their respective administrative processes. Having a private outside entity alter the applications may interfere with the requirements of the states' administrative processes. Further, applications are confidential pursuant to South Dakota State law and the language in the compact. Sending the application and information to a private entity without appropriate safeguards would potentially be a violation of the compact language and South Dakota law.

The process set forth in the compact was intended to be a straightforward, simple, and inexpensive reciprocity arrangement. The proposed rules are carving out a complicated process to permit private entities to be part of the processing and handling of the data, and drastically increasing the cost of administration and the proposed letter of qualification.

The rules should contain specific safeguards to prevent any of the information in the applications from being available to anyone except the member states. This is a requirement of the compact and should be stated in the rules.